

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 94-2204-94-9386

Date Received: 12/11/11

Receipt No: N 0287451

Received By: NK

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) William C. and Elizabeth A. Rust Phone (208) 556 8020

Mailing Address P. O. Box 648 Wallace ID 83873
Street or Box City State

2. Date of Priority (Only one (1) per claim) February 26, 1951
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) unnamed tributary
which is tributary to (b) Nine Mile Creek

4. a. Location of Point of Diversion is: Township 48 N, Range 4E, Section 23,
SE, 1/4 of NW, 1/4 Govt. Lot 20, BM., County of Shoshone

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates ,Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Two 4-inch perforated pipes buried under the creek bed feed into a buried wooden collection box. A 4-inch plastic pipeline about 1000 feet long conveys the water from that box to the areas of use. An 8000 gallon steel tank is to be installed to replace three wooden tanks that have collapsed adjacent to the 4-inch pipeline about 200 feet below the collection box. The storage tank will connect to the 4-inch main by a 4-inch branch line.

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Domestic purposes from January 1 to Dec 31 amount 0.08 or

For Fire Protection purposes from January 1 to Dec 31 amount 0.08 or

For Irrigation purposes from April 1 to Oct 31 amount 0.02 or

For purposes from to amount or

7. Total quantity claimed (a) 0.1 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic Service and fire protection to two lots

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	4E	23			1-D														

Parcel (PIN) no(s) RP48N04E231650A 48N04E231625A

Total number of acres irrigated 1

10. In which county (ies) are lands listed above as place of use located? Shoshone

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

13. Remarks: As part of the purchase of two parcels of real property we received a 40% interest in Water License

942204 21975 and the diversion and distribution system for that water. The License allows for the diversion of 0.25 cfs in total so we are claiming 0.10 cfs of that.

The diversion point is on BLM land and there is a Right-of-Way, IDI 021045, for the water system.

Last Name Rust

Identification No.

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14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number License 21975

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) William C. Rust Date: Dec 6, 2011
Elizabeth A. Rust Date: 12-6-11

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____, of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____, of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name _____ Identification No. _____

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